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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,719	12/28/2001	Warner Lee Hines	1662-54200 JMH (P01-3951)	2119
23505	7590	08/25/2004	EXAMINER NGUYEN, QUYNH H	
CONLEY ROSE, P.C. P. O. BOX 3267 HOUSTON, TX 77253-3267			ART UNIT 2642	
			PAPER NUMBER	

DATE MAILED: 08/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/034,719

Applicant(s)

HINES, WARNER LEE

Examiner

Quynh H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-11, 16-17, 20, 25-26, and 29 are rejected under 35 U.S.C. 102(e) as being anticipated by Clark (U.S. Patent 6,560,326).

Regarding claim 1, Clark teaches an intelligent network comprising: a message transport module for receiving messages from a communications network (Fig. 3, 80); at least one subsystem coupled to the message transport module, running an application for performing network services or functions (col. 6, lines 7-20 – FCMs 64, 66, 68, and 70); an operation management module coupled to the message transport module and the at least one subsystem, performing local operations management for the application (Fig. 3 and 4 and col. 5, line 66 through col. 6, line 50 – SCM 62).

Regarding claim 2, Clark teaches a plurality of subsystems coupled to the message transport module, running a plurality of applications for performing network services or functions (col. 6, lines 7-20 – FCMs 64, 66, 68, and 70).

Regarding claim 3, Clark teaches the operations management module performs local operations management for the plurality of applications (Fig. 3 and 4 and col. 5, line 66 through col. 6, line 50 – SCM 62).

Regarding claim 4, Clark teaches the SCM acts a gateway for receiving the incoming connections query messages generated by the SSPs via message router 80 reads on claimed the operations management module reports a unified status of the intelligent network.

Regarding claims 5-11 and 16, Clark teaches the operations management module (“SCM” in SCP 60) for monitoring events log for the application, determining the status of the application, and initiating corrective measures to avoid a fault or error condition, and sharing message traffic load (col. 4, lines 30-45).

Regarding claim 17, Clark teaches the network 2 in Figure 1 for connecting users 4, 6, and 8 at a Service Switching Point located at an End Office or Central Office (col. 3, line 65 through col. 4, line 10) that inherently teaches the network is a public switched telephone network or PSTN.

Regarding claim 20, Clark teaches the local management is integrated with the transaction level processing of the applications (Fig. 4).

Claims 25 and 26 are rejected for the same reasons as discussed above with respect to claims 1 and 4.

Regarding claim 29, Clark teaches the SCM 62 monitoring events of each application in order to routes the incoming connection query message to right FCM; processing the events using predetermine performance criteria for the applications by

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determining from the database 72 using incoming telephone number to see if the user is subscribed for the feature requested (col. 6, lines 51-55); and determining the individual status of each application (Fig. 4, FCF, ICW, or MSG and col. 6, line 51 through col. 7, line 15).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 12-15, 18-19, 21-24, 27-28, 30-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Clark (U.S. Patent 6,560,326).

Regarding claims 12, 13, 15, 22, and 30, Clark does not specifically teach the operations management module homogenizes the individual status of each of the applications to determine a unified status of the intelligent network server.

However, Clark teaches instead of routing the connection query message to one of the SCPs for direct handling by one of the SPs, the STP forwards the connection query message to a service combination manager that runs a SCM 62 that acts as a gateway for unifying all incoming query messages, and the SCM selectively invokes one or more of the individual SPs and returns connection control messages that the SSP uses to set up the call connection (col. 5, line 60 through col. 6, line 6). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made that in order to act as the gateway to handle all incoming connection query

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messages, the SCM would need to determine the overall status of the intelligent network server so that the SCM would select the right SPs to return appropriate connection control messages.

Regarding claims 14, 18, 23-24, and 28, Clark does not teach the unified status is reported to the network operations management in the same manner as the status of any other network device or node in the network. Obviously, in order to share message traffic loads, it is necessary that the unified status be reported in the same manner as the status of any other network device or node in the network.

Regarding claims 19, 21, and 31 Clark teaches a communications network (Fig. 1 and Fig. 3, 32 and 36); an intelligent network server (Fig. 3, 60) coupled to the communications network performing local operation management for subsystems on the intelligent network server (Fig. 3 and 4 and col. 5, line 66 through col. 6, line 50 – SCM 62). However, Clark does not specifically teach a network operations management device coupled to the communications network, but rather the SSP 32 generates connection query messages and forwards them to the SCPs then in turns forwards to the service combination manager.

Claim 27 is rejected for the same reasons as discussed above with respect to claim 12.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Schafer et al. (U.S. Patent 5,966,434) teach system and method for managing feature interaction of telephone services.

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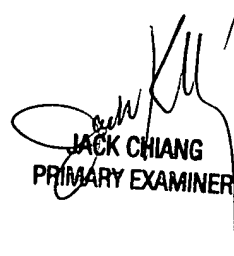
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 703-305-5451. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

qhn

Quynh H. Nguyen  
August 23, 2004

  
JACK CHIANG  
PRIMARY EXAMINER